

Responses to Alltel's Concerns Regarding the Phase II RFP

On June 1, 2004, Alltel submitted to the Commissioners and the Executive Director, a letter outlining several concerns regarding the Request for Proposal released on May 21, 2004.

The RFP sets forth a specific procedure for submitting questions or concerns regarding the RFP in Section II C and E. Section E specifically states:

Any explanation desired by a vendor(s) regarding the meaning or interpretation of any Request for Proposal provision must be submitted in writing to the Nebraska Public Service Commission and clearly marked "RFP Number 911-11-04 Questions". It is preferred that questions be sent via e-mail to kthielen@mail.state.ne.us.

These procedures are intended to ensure fairness to all potential vendors and that all questions and concerns are addressed in a timely manner. We would encourage all potential vendors to utilize the process outlined within the RFP.

As a preliminary matter, a mandatory pre-proposal meeting was held June 3, 2004 to offer every potential vendor an opportunity to ask questions and voice concerns. The Commission recognizes that the implementation of Phase II is a complicated process and that this RFP is but one component that may be amended and refined as further information develops. It remains the Commission's goal to implement Phase II in the most cost-effective and efficient manner possible, and the RFP was ratified in an effort to further that goal.

1. Time Frame Issues

The E911 Director has asked how much additional time Alltel requires and is willing to accommodate a reasonable request. The E911 Director has lengthened the time table and a new schedule has been released to all vendors. It is important to note that visitation of all 81 PSAP sites is not necessary for the submission of a proposal. Visitations can be made at a later date.

2. Perceived bias to a specific vendor

Alltel has stated that it believes that the RFP is biased toward a specific equipment vendor and cites to two examples within the RFP. No vendor participated in the drafting of the RFP. Commission staff compiled the RFP utilizing the DAS form RFP and other RFPs from around the country with no particular vendor in mind.

As support of its allegation of bias, Alltel points to the requirement that the Application Programming interface (API) field be a "minimum of five characters and a maximum of 25 characters and be text based" and states that various CAD systems may

have different integration requirements. It is unclear as to how this requirement demonstrates a bias to a particular vendor.

Alltel further states that the requirement found on page 38, section 12.d that “The system should automatically search for images when a 911 call is received or a manual address search is initiated. If images are found there should be a message displayed on the main dispatch screen....” It is again unclear as to how this particular requirement indicates bias to a particular vendor. The systems installed at various PSAPs must have this capability in order to allow them with the maximum flexibility in providing necessary information to emergency personnel.

To further address Alltel’s concerns, an additional code will be added to the RFP which will allow a vendor to be scored as complying with a different method. The scoring of various proposals will be conducted by the evaluation committee and further evaluated by the advisory board which will then make a recommendation to the Commission regarding which vendors will be placed on the approved vendors list.

3. Accuracy and completeness of data outlined for PSAPs

The information referenced by Alltel as being inaccurate or incomplete was obtained from the PSAPs and represents all of the information currently available to Commission staff. As stated in the addendum to the RFP containing the information referenced by Alltel, “This information is for guide purposes only and needs to be verified at a later time.” Commission staff relies upon the cooperative relationship that the Commission enjoys with industry representatives and individual PSAPs to compile and share the information necessary to ensure the efficient and cost effective implementation of Phase II. Any errors in that information should be brought to the attention of Commission staff and corrections will be made. However, this should not affect the progression of the RFP.

4. Alltel has also expressed a concern regarding the fact that the Advisory Board did not have the opportunity to review and comment on the RFP prior to its release. Members of the Advisory Board include representatives from both Alltel and Qwest. If the RFP had been reviewed by the Advisory Board, prospective vendors would have been privy to information regarding the RFP prior to other potential vendors. Such a situation would have placed the industry representatives in a difficult position with respect to potential conflicts of interest.

Furthermore, the Advisory Board is only advisory in nature. See Title 291 Nebraska Administrative Code, Chapter 5, § 005.009. Members of the advisory board have been instrumental in providing information and guidance to the Commission and Commission staff. However, its approval of the RFP was not a necessary prerequisite for its release.

5. The Commission is willing to make public the names of the individuals on the Evaluation Committee. Additionally, the E911 Director listed the names of the

individuals on the Evaluation Committee during the pre-proposal meeting. However, the Commission is not required to seek the approval of these members from vendors prior to proceeding. The Commission reserves the right to replace any member of the Evaluation Committee should they become unable or unwilling to perform the requisite duties. The name of that replacement member will be disclosed to all potential vendors.

6. Pricing Information Format

Alltel has expressed a concern that the request for pricing in a line item format is inappropriate due to the case-by-case nature of the services to be provided to individual PSAPs. The Commission is cognizant of the fact that these prices will not be set in stone. It seeks only to ensure that all bases have been covered and it is clear what the proposed services will include and the range of prices at which those services and products will be offered. Ultimate costs will be determined when individual contracts are executed with specific PSAPs. The Commission sees no reason to alter this requirement and encourages vendors to explain their prices as necessary and to make every effort to provide accurate estimates.